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EDUCATION WEEK

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Sex Education Said Key to Stemming Spread of AIDS

'This Silence Must End,' Surgeon General Argues

By Blake Rodman

In an unusually frank report to the nation on acquired immune deficiency syndrome, Surgeon General C. Everett Koop last week told parents and schools that they should stop sidestepping open discussions about sexuality, and begin teaching children about sex and the dangers of AIDS at "the lowest grade possible."

"Many people—especially our youth—are not receiving information that is vital to their future health and well-being because of our reticence in dealing with the subjects of sex, sexual practices, and homosexuality," Dr. Koop said.

"This silence must end," he said in a prepared statement. "We can no longer afford to sidestep frank open discussion about sexual practices—homosexual and heterosexual."

In his 36-page "Surgeon General's Report on Acquired Immune Deficiency Syndrome," Dr. Koop said schools and parents should begin teaching children about AIDS in the early elementary-school grades "so that children can grow up knowing the behavior to avoid to protect themselves from exposure to the AIDS virus."

He added: "The threat of AIDS should be sufficient to permit a sex-education curriculum with a heavy emphasis on prevention of AIDS and other sexually transmitted diseases."

In interviews last week, education leaders and child advocates, psychologists, and psychiatrists were generally supportive of

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Inadequate Education Is Identified as Barrier To Urban Minorities

By Lynn Olson

Lack of an adequate education will keep the growing population of poor minority residents in cities of the Northeast and Midwest from claiming the white-collar jobs that industrial revitalization is creating there, according to a new analysis of federal data.

This dilemma, in conjunction with the continued exodus of white residents, threatens to create in urban America a "dual city" of rich and poor, with no middle class, according to the study's author, John D. Kasarda, chairman of the sociology department at the University of North Carolina at Chapel Hill.

The mismatch between the skills required by new urban industries and the education of the cities' burgeoning minority populations has become more pronounced,

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ELECTION '86

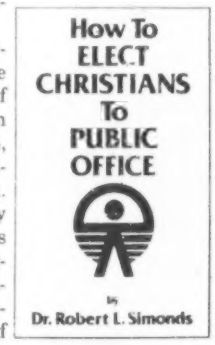
Education Is Still High on Voters' Agendas

The Religious Right Is Making a Mark in Campaigns As It Gains in Numbers and Influence, Leaders Say

By William Snider

Next week's elections may signal a new chapter in the political history of the religious right, some analysts say, as a record number of conservative-Christian candidates focus their efforts on education issues and school-board posts as a way to win "a battle for the minds" of America's schoolchildren.

About twice as many conservative-Christian candidates are running for office at all levels of government this year than in the general elections of 1984, leaders of the evangelical political movement said last week. And, as in past elections, they said, conservative religious groups are mounting voter-registration drives and disseminating information on the voting records and public stands of candidates for federal and state offices.



They also said that a growing network of parent activists is enabling the religious right to be much more effective at the local level.

Typically, the focus of that local activity is the school board—"the absolutely highest office you can hold in America," said Robert L. Simonds, president of a three-year-old organization, Citizens for Excellence in Education, which has grown to encompass some 1,500 local affiliates and is characterized by some as perhaps the fastest-growing segment of conservative-Christian activism.

"Whoever controls public education and the mindset of the learning atmosphere will control public opinion and this nation," explained Mr. Simonds, who is

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School Groups Opt for 'Self Insurance' Cure As the Crisis in Liability Coverage Continues

By Robert Rothman

With the help of a $10-million loan from the Metropolitan Life Insurance Company, the New York State School Boards Association has become the latest in a growing list of public entities to create a "self-insurance pool" to deal with the rising costs and unavailability of liability coverage.

The announcement this month of the formation of the New York State School Services Foundation, a not-for-profit corporation that will insure contributing districts in the event of a liability claim, came as educators and industry analysts were assessing the impact of recent state and national measures designed to ease the insurance crisis.

In interviews last week, many of them said that, despite some improvement in the situation for businesses, school districts and local governments continue to face obstacles.

Victor DeBonis, deputy counsel for New York's newly formed foundation, said that although districts' premiums continue to rise sharply, reducing rates is not the main

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Also in the news

Task Force Finds Serious Counseling Gap

Students who need the most help receive the least, a new College Board report concludes.

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Text Study Is Issue In 'Humanism' Trial

A federally financed study that counted references to religion in textbooks has been challenged in a controversial "secular humanism" trial in Mobile, Ala.

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Congress, at Last, Ends Busy Session

The 99th Congress is being applauded for passing a number of important bills, several of which are expected to have a major impact on education.

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36 Races for Governor To Be Decided; 7 States To Elect School Chiefs

By Tom Mirga

Although ensuring the quality of the nation's schools may have fallen slightly on the national agenda over the past two years, it remains high on the list of voters' concerns as they prepare to cast ballots in next week's elections.

"The good news is that the education issue is alive and well," says Michael Kirst, professor of education at Stanford University and a former member of the California State Board of Education. "It may not be as intense as it was before, but it still appears to be good politics."

"As long as people accord importance to the issue," he says, "they will accord it higher funding status."

Thirty-six governorships are to be decided next week, with 19 states certain to get new governors because the incumbents are not running for re-election. Among the outgoing state leaders are several who are nationally recognized as champions of school reform, including Lamar Alexander of Tennessee, Robert Graham of Florida, and Richard W. Riley of South Carolina.

Seven states are holding elections for state superintendents of education. A new school chief is certain in Arizona—where the incumbent, Carolyn Warner, has decided to run for governor—and in Florida—where the state's longtime superintendent, Ralph D. Turlington, has decided to step down.

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Tennessee Parents Win Textbook Suit

Forcing students to choose between reading textbooks that offend their religious beliefs or forfeiting their right to public education is unconstitutional, a federal district judge in Tennessee ruled late Friday morning.

U.S. District Judge Thomas G. Hull, ruling in the so-called "Scopes II" trial in Greeneville, said the Hawkins County School Board violated the First Amendment rights of seven fundamentalist families by using a 1983 Holt, Rinehart, & Winston reading series that the families said included anti-Christian themes.

The students may receive reading instruction at home while still attending public school, and the school board must pay damages to the families, Judge Hull ruled. At a Friday afternoon press conference, lawyers for the school board said they would appeal the Oct. 24 ruling. —K.G.

IN SUMMARY

Drug-Education Mandates
Although 27 states require school districts to offer K-12 alcohol- and drug-education programs, most of those states have no system for evaluating the programs, according to a new survey. **Story on Page 4.**

Targeting Teen-Age Pregnancy
Calling teen-age pregnancy the nation's "single most important social issue," the president of Planned Parenthood has announced a major advertising campaign aimed at reducing the problem. **Story on Page 4.**

Endorsing a Career Ladder
A task force in Michigan has urged the state board of education to create a career ladder for teachers and to establish a panel to set professional standards for teaching. **Story on Page 13.**

An 'Outmoded' System
Gov. Thomas H. Kean of New Jersey has attacked as "outmoded" the "non-system" by which school principals in the state are certified. **Story on Page 13.**

Questions on Implementation
Special-education experts are grappling with tough questions about how to implement a new, widely hailed federal law on serving handicapped infants and preschoolers. **Story on Page 14.**

Asbestos and the Court
The U.S. Supreme Court last week helped clear the way for the resolution of millions of dollars in claims by schools and school districts against asbestos manufacturers. **Story on Page 15.**

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For New Subscriptions, Subscription Problems, and Changes of Address Write to:
Education Week
Post Office Box 1939
Marion, Ohio 43306

EDITOR
Ronald A. Wolk

EXECUTIVE EDITOR
Martha K. Matzke (on leave)

SENIOR EDITOR
M. Sandra Reeves

NEWS EDITOR
Virginia B. Edwards

ASSOCIATE EDITORS
Gregory Chronister, Gail Lewin
Tom Mirga, Lynn Olson

STAFF WRITERS
Kirsten Gokberg, Bill Montague
Marleen Nienhuis, Blake Rodman
Robert Rothman, William Snider
Debra Viadero

WASHINGTON EDITOR
James Crawford

COMMENTARY EDITORS
Gregory Chronister, Gail Lewin

COPY EDITOR
Tricia Furniss

EVENTS EDITOR
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ART DIRECTOR
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ASSISTANT ART DIRECTORS
Carol Maloney, Susan B. Schafer

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PUBLISHING CONSULTANT
Lawrence A. Durocher Jr.

BUSINESS MANAGER
Lorna Green

ADMINISTRATIVE ASSISTANTS
Julia Woltman, Pamela G. Pitt, Tony L. Price

MARKETPLACE ADVERTISING
Barbara Ross
202/466-5190

DISPLAY ADVERTISING
East Coast and Midwest
Director
Leslie K. Hubbard
Suite 775
1255 23rd Street, N.W.
Washington, D.C. 20037
202/466-5190

WESTERN OFFICE
Arleigh Hupp
359 San Miguel Drive, Suite 203A
Newport Beach, Calif. 92660
714/720-0222
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THE WEEK

FEDERAL

11 E.D. Centers Plan To Join Research Group

A group representing 11 of the Education Department's 14 research and development centers is planning to affiliate with the American Educational Research Association.

Joining the A.E.R.A. has "significant symbolic value" because the association has historically been a strong supporter of individual researchers, said the group's chairman, Eva Baker, who is director of the center on student testing, evaluation, and standards at the University of California at Los Angeles.

She said that lobbying the department's office of educational research and improvement, from which the centers receive their funding, with a stronger voice was not the main reason for the creation of the 11-center organization earlier this month.

"We are not a group principally designed to deal with O.E.R.I.," she maintained. Rather, she said, "there's a need for the centers to communicate among themselves."

The three research centers that did not join the group either belong to an association other than the A.E.R.A., or their officials are too uncertain of the centers' continued funding to affiliate with it at this time, according to a spokesman for the centers.

William J. Russell, executive director of the A.E.R.A., noted that many of the centers' directors already belonged to the association as individual members. The recent move was a logical extension of that involvement, he said.

NATIONAL

N.E.H. Program To Urge Grant Applications

The National Endowment for the Humanities has established a program, "Access to Excellence," to encourage grant applications from, and to provide technical assistance to, students and teachers from urban, rural, and native American communities.

"We want to see more applications from these communities, and we want to help applicants put together proposals that can compete effectively with others in the endowment's grant programs," Lynne V. Cheney, chairman of the endowment, said in announcing the program's creation last week.

Ms. Cheney said a program coordinator will speak at meetings and conferences across the nation to spread the word on endowment programs available to students and teachers in the three targeted groups.

"The endowment is committed to supporting excellence in the humanities, and we hope to make sure that all American students have equal access" to such opportunities, she said.

More information about the new program may be obtained from Carl Dolan, Program Coordinator, National Endowment for the Humanities, 1100 Pennsylvania Avenue, N.W., Room 302, Washington, D.C. 20506.

Magazine To Seniors To Carry Military Ads

In January, the nation's 3.2 million high-school seniors will receive in the mail, free of charge, a one-time 48-page magazine with articles covering such topics as job prospects, college, and "the singles scene."

The students may notice that the magazine's advertisements share a common theme: They all promote recruitment for the U.S. armed services.

The magazine, financed by the Department of Defense's Joint Recruiting Advertising Program, is intended to provide students with "information about life after high school," according to David L. Stanley, an account supervisor and program manager for the Grey Advertising Company, which produces ads for the program.

The articles, which will focus on all aspects of post-high-school life, will only mention the military as a possible career option, Mr. Stanley said. "The ads will speak for themselves," he said.

The magazine, "Futures for the Class of '87," will cost the Defense Department less than $1 million, Mr. Stanley said.

The Grey Company bought mailing lists for the students' names from commercial list vendors, he said.

Scholastic Inc., the publisher of more than 30 magazines for students and teachers, will publish the magazine under contract with the Grey Company.

STATES

Outside Conduct Ruled Grounds for Dismissal

Tenured teachers in Kentucky who commit illegal and immoral acts after school can be dismissed even if the written record of their in-school performance is satisfactory, according to a recent unanimous ruling by the state's Supreme Court.

The ruling, which stemmed from two separate cases, addressed for the first time the issue of Kentucky teachers' conduct outside the classroom as grounds for dismissal.

Earlier state court decisions had established that tenured teachers could be fired only on the basis of a written evaluation of their classroom performance.

In one of the cases leading to the latest ruling, two tenured middle-school teachers in Hopkins County had pleaded guilty to smoking marijuana in their apartment with two 15-year-old students.

The other case, originating in Laurel County, involved a tenured teacher of homebound children who had claimed he was on sick leave—and who had filed an affidavit to that effect with the school—when in fact he had taken the day off to drive a coal truck to Ohio.

"The court has found that teachers occupy a unique position in students' lives," said John Scott McGaw, a lawyer for the Hopkins County School Board. "As such, they have a responsibility to lead good, reasonable, proper lives."

"If not, they would have little credibility with the students," he added.

James Slattery, general counsel of the Kentucky Education Association, which initially represented the teachers in both cases, said he did not think the ruling was a dangerous precedent.

"One set of plaintiffs pleaded guilty to criminal conduct," Mr. Slattery noted. "The other swore a false oath. If it had been a matter of lifestyle, we'd feel very differently."

Oklahoma Teachers Aid Colleagues Hit by Floods

The Oklahoma Education Association has expanded its professional services into the area of disaster relief to help provide colleagues in flooded counties with food, clothing, and money.

During a five-day period earlier this month, some 20 inches of rain fell, swelling rivers and flooding many areas throughout Oklahoma. Last week, President Reagan agreed to declare 13 of the state's counties disaster areas, thus qualifying them for federal aid.

"Some schools closed only temporarily, but bridges were washed out so that it was impossible to bus children," said Tony Beaverton, executive director of the O.E.A., an affiliate of the National Education Association.

Mr. Beaverton said response to the O.E.A.'s call for help at the association's convention earlier this month has generally been "pretty good."

A convention exhibitor, the New Home American Library Co., donated the 200 sets of library books it had on display to one of the stricken school districts in northeastern Oklahoma.

And, Mr. Beaverton said, local association affiliates are setting up a network to "sponsor" schools and districts in flooded areas.

Still, he said, "it will take a lot more."

WASHINGTON

Despite Paralysis, Missed Deadlines, 99th Congress Hailed As Productive

By James Crawford

The 99th Congress—despite its recent paralysis, missed deadlines, and failure to keep the federal government in operation—is being hailed as one of the more productive sessions of recent years.

Since Labor Day, it has produced final agreements on 1987 money bills; enacted major tax, drug, immigration, and environmental legislation; reauthorized the Higher Education and Education for the Handicapped Acts; and passed several other education-related measures.

Veto threats from the White House, Senate filibusters, and deadlocked conference committees aggravated the normal end-of-session chaos and postponed adjournment by two weeks—but also gave lawmakers time to conduct more business.

One source of delay was the incorporation, for the first time, of all 13 regular appropriations bills into a mammoth "continuing resolution," H J Res 738.

The $576-billion bill contained $19.24 billion for Education Department programs, $1.38 billion above 1986 spending levels and $2.97 billion more than the Reagan Administration asked for.

In a last-minute compromise between House and Senate negotiators, the amount allocated for drug-abuse education and prevention was reduced by 20 percent, to $200 million for the fiscal year that began Oct. 1. But as part of the Omnibus Anti-Drug Abuse Act, H R 5484, $250 million was authorized in both 1988 and 1989.

After weeks of contention, House and Senate negotiators resolved their differences over H R 5300, a budget "reconciliation" bill projected to cut $11.7 billion from the federal deficit for fiscal 1987—probably just enough to remain under the ceiling imposed by the Gramm-Rudman-Hollings law.

The final version of H R 5300 scrapped a provision, tentatively approved earlier, that would have made Medicare coverage mandatory for teachers and other employees of state and local governments.

As always, a majority of bills in the 99th Congress died in committee without action by either the House or Senate. A handful of education initiatives passed the House but not the Senate.

For the most part, however, lawmakers passed what they had to pass—sometimes even ahead of schedule. And the President has approved, or is expected to approve, those measures.

The following bills have already been signed into law:

• **Tax Overhaul**—At a White House signing ceremony last week, President Reagan hailed H R 3838, the sweeping revision of the tax code, as "less a reform than a revolution."

The new law—which will take full effect in 1988, after a gradual "transition" for many provisions in 1987—means lower tax rates for most individuals. In exchange, many long-enjoyed deductions will be curtailed, affecting education in three principal areas: state and local sales taxes, tax-exempt bonds, and pensions.

While education lobbyists succeeded in preserving the deductibility of other state and local taxes, many fear that their last-minute loss on sales taxes may undercut political support for an important source of education funding.

The law's bond provisions would restrict "arbitrage," the use of school-bond proceeds to finance short-term, high-interest investments elsewhere. Also, new limitations would be imposed on private uses of tax-exempt bond issues by municipalities—potentially affecting the construction of school cafeterias and day-care centers.

In the pension area, besides eliminating the $2,000 tax break for Individual Retirement Accounts for many employees (although IRA interest would remain tax-deferred), the most dramatic change is the elimination of the so-called "three-year rule," retroactive to July 1, 1986.

As a result, nearly 20 million public employees will lose a tax holiday on pension income—for up to three years after retirement—until their withdrawals equal their cumulative after-tax contributions. Tax planning for many new retirees is expected to be disrupted.

• **Special Education**—Legislation reauthorizing the Education for the Handicapped Act (S 2294, H R 5520)—a law that was set to expire next year—places a new emphasis on aiding handicapped children before they enter school.

The bill creates financial inducements for states to include 3- to 5-year-olds in special education by the 1990-91 school year and establishes "incentive grants" to promote programs serving handicapped infants. *(See related story on page 14.)*

Prospects for final agreement on the bill appeared unfavorable before Labor Day. Many educators were alarmed by the "big stick" approach of a Senate-passed version, which would have terminated federal assistance under P.L. 94-142 to states that failed to aid handicapped preschoolers within three years.

But a compromise was worked out in September between Senator Lowell Weicker, Republican of Connecticut, and Pat Williams, Democrat of Montana. This final version scaled down the penalty for states choosing not to aid 3- to 5-year-olds to a loss of eligibility for preschool-incentive grants and inability to count the preschoolers for purposes of their basic grants.

• **Higher Education**—After protracted negotiations, House-Senate conferees worked out their differences in late September on a five-year reauthorization of the higher-education act.

The bill, S 1965, tightens eligibility for student-aid programs—requiring all students to undergo a needs test to qualify and making it harder to claim financial independence from their parents.

Also, Pell Grants will be restricted to students from families earning less than $30,000 a year, and continued eligibility will depend on maintaining a C average.

States seeking teacher-training funds must now establish task forces to assess current and future needs for teaching personnel.

The measure incorporates limits on Guaranteed Student Loans, agreed on earlier in the Congressional budget resolution, that will cut $400 million over the next three years.

• **Asbestos Control**—Failing to move the Environmental Protection Agency with words, the Congress finally used legislation. H R 5073 requires the agency to tell schools what to do about the asbestos hazard.

Since 1979, school districts have only had to inspect buildings for asbestos and to make public the results. The E.P.A. mandated no abatement action, preferring to offer technical assistance, training, and modest grants, in the view that differences among buildings precluded general regulations.

The Asbestos Hazard Emergency Response Act will end what critics have called an inexcusable delay in protecting the 15 million schoolchildren and 1.4 million school employees that the E.P.A. has estimated are at risk from asbestos, a known cause of cancer and lung disease.

Also, the agency will be required to study the problem of liability insurance for contractors and school districts involved in asbestos-cleanup projects.

The bill establishes a contractor-accreditation program, as well as a federal trust fund that would lend money to schools for asbestos abatement.

• **Civil Rights Commission**—Targeted for elimination in the House version of the continuing resolution, the U.S. Civil Rights Commission narrowly survived in the final passage of H J Res 738.

The controversial agency has drawn the fire of civil-rights groups since a 1983 reorganization transformed it from a liberal advocate into a supporter of Reagan Administration policy. Also, earlier this year, the General Accounting Office lodged charges of mismanagement and personnel violations against commission officials.

Under a House-Senate compromise, the agency's 1987 budget was cut by more than a third, from $11.8 million to $7.5 million. Also, the measure imposes staff limits on political appointees and outside contractors.

• **Summer Programs**—Amendments to the Job Training and Partnership Act, S 2069, would require each "service delivery area" in summer youth-employment programs to assess participants' reading and mathematics skills and offer remedial education.

Also, states would have to use part of their 8 percent set-aside under J.T.P.A. to set up literacy, dropout-prevention, and "school-to-work transition" programs.

The following bills are expected to be signed by the President:

• **Drug Abuse**—Encumbered by attempts to add the death penalty, loopholes in evidentiary rules, and mandatory urinalysis—provisions opposed by civil libertarians—the drug bill was batted back and forth between the House and Senate until a final compromise version passed on Oct. 17.

Late negotiations between the two chambers resulted in a reduction of 1987 funds for drug-abuse education from $250 million to $200 million.

Also, a new formula was adopted for dividing the money: 81.8 percent for states (and school districts), apportioned on the basis of school-age population; 8 percent for higher-education programs; 4.5 percent for regional centers to train school personnel in drug-abuse prevention; 3.5 percent for Education Department efforts; 1 percent for Indian-youth programs; 1 percent for programs in U.S. Trust Territories; and 0.2 percent for programs aiding Hawaiian natives.

Of the state share, 70 percent—or about $115 million this year—will be distributed as grants to school districts; at least 15 percent must go to community-based programs for "at risk" youth; and the remainder will finance state-administered training, demonstration projects, technical assistance, and other anti-drug efforts.

• **Nutrition**—A long deadlock over reauthorization of the National School Lunch Act and the Child Nutrition Act was broken shortly before the Congress adjourned.

After months of stalemate because of cost objections by Senator Jesse Helms, Republican of North Carolina, the bill, H R 7, was approved as an amendment to the 1987 defense-authorization act.

The measure extends the following through 1989: Special Supplemental Food for Women, Infants, and Children; the Summer Food Service Program; the State Adminis-

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Budget for Fiscal 1987

PROGRAM	FY86	FY87
	(in millions)	
Chapter 1 Aid to the Disadvantaged	$3,529.6	$3,944.2
Impact Aid	682.7	717.5
Chapter 2 Block Grants	478.5	500.0
Secretary's Discretionary Fund	27.7	29.3
Science and Mathematics Education	43.1	80.0
Bilingual Education	136.5	143.1
Emergency Immigrant Education	28.7	30.0
Education for the Handicapped	1,349.5	1,741.9
Vocational Education	802.7	874.8
Adult Education	97.6	106.0
Student Financial Assistance	4,821.4	5,196.0
Guaranteed Student Loans	3,260.0	3,004.0
Higher Education Programs	435.7	479.1
Educational Research and Statistics	57.0	63.6
Libraries	122.0	132.5
Departmental Management	261.4	294.1
Total, Education Department	**17,859.3**	**19,235.6**

NOTE: Figures are rounded to the nearest tenth of a million. Fiscal 1986 totals reflect across-the-board cuts imposed March 1 under the Gramm-Rudman-Hollings deficit-reduction law. Fiscal 1987 totals were enacted Oct. 17 as part of H J Res 738.
SOURCE: House appropriations subcommittee on labor, health and human services, and education.

Court Declines Asbestos Case

WASHINGTON—The U.S. Supreme Court last week helped clear the way for the resolution of millions of dollars in claims by schools and school districts against asbestos manufacturers.

Without comment, the Justices announced their decision not to review *National Gypsum Company* v. *School District of Lancaster* (Case No. 86-339), a challenge by three asbestos companies to a federal appeals court's ruling last May in *In Re School Asbestos Litigation*, the nation's largest product-liability lawsuit stemming from the use of the cancer-causing substance in school-construction materials.

In September 1984, a federal district judge in Pennsylvania issued an order establishing a voluntary nationwide class for school districts seeking compensatory damages from the companies. The order also established a mandatory nationwide class for districts seeking punitive damages.

The appeals court upheld the creation of the compensatory-damages class, but changed the status of the punitive-damages class from mandatory to voluntary.

In the *National Gypsum Company* case, three manufacturers unsuccessfully argued that the appeals court should have upheld the mandatory class for punitive damages.

Earlier this month, the Court refused to consider arguments by a group of eight other asbestos manufacturers that it was improper for the federal district and appeals courts to certify any nationwide class actions for the resolution of asbestos-related product-liability claims. —T.M.

Court Rulings Are Not Supreme Law, Meese Argues

By Tom Mirga

WASHINGTON—Decisions by the U.S. Supreme Court are not the supreme law of the land, but rather are binding only on the individual parties to cases decided by the Justices, Attorney General Edwin Meese 3rd argued in a speech last week.

In his address at Tulane University in New Orleans, copies of which were made available here, Mr. Meese stated that "we as citizens may respond to a decision we disagree with" through elected officials rather than "submit to government by judiciary."

The attorney general singled out for criticism the Court's 1958 ruling in *Cooper* v. *Aaron*, the case stemming from the forcible barring of nine black students from Central High School in Little Rock, Ark. President Eisenhower was forced to deploy units of the 101st Airborne Division in the city to quell rioting by whites after the desegregation attempt.

Nullification Theory

In the *Cooper* case, the Justices were asked to rule on the doctrine of nullification—the theory that states may pass laws at odds with the Court's rulings if they believe those rulings to be in conflict with the Constitution. The theory figured prominently in the "massive resistance" campaign by Arkansas and other Southern states against the Court's 1954 ruling in *Brown* v. *Board of Education* declaring school segregation unconstitutional.

Specifically, at issue was an amendment to the Arkansas Constitution requiring the state legislature and governor to "take appropriate action and pass laws opposing" the Court's decision in *Brown*.

In a unanimous ruling, the Court held that it had been clear since the 1803 case *Marbury* v. *Madison* that "the federal judiciary is supreme in the exposition of the law of the Constitution, and that principle has ever since been respected by this Court and the country as a permanent and indispensable feature of our constitutional system."

"No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it," the Court concluded.

'Astonishing' Implication

"Obviously, the decision was binding on the parties in the case," Mr. Meese said of the Court's ruling in *Cooper*. "But the implication that everyone would have to accept its judgments uncritically, that it was a decision from which there could be no appeal, was astonishing."

Such a view of judicial authority, he continued, "was, and is, at war with the Constitution, at war with the basic principles of democratic government, and at war with the very meaning of the rule of law."

Legislators, Mr. Meese said, could properly propose bills contrary to rulings by the Court because such decisions "do not necessarily determine future public policy."

The executive and legislative branches of government "no less than the judicial [have] a duty to interpret the Constitution in the performance of [their] official function[s]," he said.

Mr. Meese did not specifically mention areas in which legislators might attempt to defy Court rulings. The Reagan Administration, however, has been highly critical of the Court's rulings on several issues, including school prayer, affirmative action, and aid to church-affiliated schools.

Terry Eastland, Mr. Meese's spokesman, said the attorney general was not advocating that people defy rulings by the Court.

Rather, Mr. Eastland said, Mr. Meese's main point was that "one may respond in a responsible fashion to decisions that one disagrees with."

For example, he said, it would be proper for a state legislature to enact a law permitting school days to begin with a moment of silence for private prayer even though the Court overturned such a law in 1985. But he noted that "it might not be prudent for a state to pass a law that isn't on all fours with a ruling by the Court."

Value of Early-Childhood Education Assessed

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incomes of $10,000 or less were only half those reported for children from higher-income families in which at least one parent had a college degree.

How Much To Invest

With the exception of California, the report indicates, states have generally entered the early-childhood arena gingerly, by setting up a few pilot programs, followed by gradual expansion. Such states include Illinois, Louisiana, Maine, Massachussetts, Michigan, Oklahoma and West Virginia.

California, in contrast, has made a massive investment in child-development programs for youngsters from birth to age 14, the report says. In 1986, it spent $310 million from general-revenue funds on the programs, which are administered by the state education department's office of child development.

Only two states in addition to California spent more than $50 million on child development in 1986. New York allocated $155 million for child care from a federal social-services block grant, and Pennsylvania provided $66 million in child-development funds.

Focus on Quality

Mr. Schweinhart and Mr. Koshel emphasize that attention to program quality is essential. It is "poor public-investment policy" to create early-childhood programs that are not of high quality, they say.

In addition to taking into consideration a state's political and economic conditions when designing a large-scale early-childhood program, the authors note, policymakers have to assess whether the state has enough qualified early-childhood teachers.

"If not," they write, officials must calculate "how long it will take to train them, or attract them from elsewhere."

The researchers point to the National Day Care study done in the 1970's, which found that of all the teacher variables, the only one that predicted program quality and effectiveness was teachers' training in early-childhood education.

In addition to employing teachers who are early-childhood specialists, programs should have at least one staff member for every 10 preschoolers and a maximum of 20 children in a class, the authors write.

"It's probably better to provide high-quality programs for some children than to provide inferior programs to a larger number of children," the report states.

Who Will Provide?

One of the trickiest questions facing state officials, Mr. Schweinhart and Mr. Koshel say, is which agencies will receive money to provide early-childhood programs. The most likely recipients include schools, existing programs such as Head Start, and community agencies, they note.

Policymakers should not look for a single approach to their preschool efforts, the authors contend. Instead, they say, officials should take into account their constituency's varied needs when deciding where to invest.

The current patchwork of early-childhood programs, while leaving much to be desired, also meets the diverse needs of families with young children, the report suggests.

In weighing the merits of various settings, the authors note that school-based programs have the advantages of central location, public governance, professional standing, and an assumed interest by the staff in preparing pupils for kindergarten.

However, the authors add, school-based efforts also have disadvantages, such as generally high teacher-pupil ratios, a perceived insensitivity to nonwhite ethnic groups, and an affinity for academically structured programs of questionable benefit to young children.

Likewise, they say, Head Start programs have the advantage of experience with preschoolers and a record of accomplishment—indeed, several states have begun to supplement local Head Start programs with state funds—but their staffs are underpaid and need more early-childhood training.

Community agencies, both centers and homes, that are licensed for child care by the states are the third option, but their drawback, according to the researchers, is that they are less subject to public scrutiny and control.

State funding for programs by all these institutions, Mr. Schweinhart and Mr. Koshel concluded, would minimize "turf" battles and show recognition for the diversity of the clientele to be served.

Copies of the report may be obtained for $5 each, prepaid, from High/Scope Educational Research Foundation, 600 North River Street, Ypsilanti, Mich. 48198.

Wyoming Faces Fiscal Crisis

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ability measures and decide how to accomplish them.

Such proposals, however, would probably require the modification of existing collective-bargaining agreements and board requirements in participating districts, Mr. Robinson said. —W.M.

WYOMING

Superintendent Warns Of Projected Shortfall

Lynn Simons, Wyoming superintendent of public instruction, warned the state legislature's joint appropriation's committee earlier this month that unless remedies are found, the state's school-foundation program will suffer a revenue shortfall of $92-million in fiscal year 1988.

Ms. Simons told the committee that declining oil and mineral prices and a general drop in the assessed value of property in the state has created the fiscal crisis, according to Richard H. White, assistant superintendent for administrative services for the state department of education.

Finding revenue for the 1987-88 school year will be "the major issue" facing state lawmakers when they convene early next year, Mr. White said last week.

"I need to make a payment [to school districts] in August 1987 of $58 million," he said. "At this point I only estimate having $34 million. If [lawmakers] don't do something in February, I'm going to have to borrow money to start the school year."

Although Wyoming operates on a biennial budget, the legislature approves school-foundation-program expenditures annually, in a process separate from the determination of the general-fund budget.

In its 1986 session, the legislature voted to hold foundation-program expenditures for 1987 to $192 million, the same level as the previous year.

"Belt tightening will get the state through this year," Mr. White said. "But it won't solve the problem for 1988."

Projections indicate that it will take a foundation-program appropriation of $238 million in fiscal 1988 to meet the state's obligations to school districts.

Public education in Wyoming receives 34 percent of the federal mineral royalties paid to the state. This year, that amounted to $61 million. Projections indicate that the figure will slip to $44 million next year.

In addition, the assessed valuation of property in the state fell last year from about $8 billion to $7 billion. "That means less money for schools," Mr. White said.

He noted that in her presentation to appropriations-committee members, Ms. Simons suggested several ways the state could tackle the revenue problem.

Her suggestions included: reducing spending for education of the handicapped and having the state's general fund pick up more of the non-education expenses of serving handicapped children; diverting money to the foundation program from two school construction accounts; and earmarking more money from the state's severance tax for education. —B.R.

Congress Hailed As Productive

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trative Expense Program; the Commodity Distribution Program; and the Nutrition Education and Training Program.

The following bills passed the House, but not the Senate:

• **Effective Schools**—Conscious of budget constraints, the House voted June 17 to use an existing line item—Chapter 2 block grants—to finance a $50-million effort to promote the lessons of "effective schools" research.

The "effective schools and even start act," H R 4463, would have required states to spend up to half of their 20-percent Chapter 2 set-aside on training, evaluation, planning, demonstration projects, or dissemination activities related to effective schools.

Sponsored by Representatives Augustus F. Hawkins, Democrat of California, and William F. Goodling, Republican of Pennsylvania, the bill would also have redirected $3 million from existing programs to support adult literacy efforts in low-income communities.

The Senate Labor and Human Resources Committee never acted on the measure.

• **Dropouts, Suicides**—As approved by the House Aug. 7, the "dropout and re-entry act," H R 3042, would have authorized $50 million a year to help keep "at risk" youths in school. School districts would have been eligible for grants to finance up to 90 percent of such programs.

The legislation, sponsored by Representative Charles A. Hayes, Democrat of Illinois, also would have authorized a federal study of why students drop out.

Although placed on the Senate calendar, the bill never came to a vote as Senate leaders sought to avoid a protracted floor fight over a controversial, but unrelated, amendment. Given the chance, Senator Danforth Quayle, Republican of Indiana, had planned to to attach S 2256, a bill to expand the Education Department's discretion to finance "English-only" programs with bilingual-education funds.

Another House-passed measure, H R 4650, would have earmarked $1 million of the Secretary of Education's discretionary fund to support suicide-prevention efforts, with an emphasis on training for school personnel. But the bill died quietly in the Senate Labor and Human Resources Committee.

• **Gifted and Talented**—The House voted on July 31 to revive categorical grants to support gifted-and-talented programs, but again the Senate committee failed to act. According to the bill's sponsor, Mario Biaggi, Democrat of New York, many districts abandoned such efforts after the grants were consolidated into Chapter 2 block grants in 1981.

The measure, H R 3263, also would have created a research center for studying better methods of identifying and teaching gifted-and-talented children.